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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

| Case No.: 2:22-cr-00132-JCM-DJA

Judgment Creditor,

**MOTION FOR ENTRY OF A FINAL
ORDER OF GARNISHMENT**

V.

ALIA BOBER,

Judgment Debtor.

and

THE VANGUARD GROUP, INC., and its
Successors or Assigns

Garnishee

The Plaintiff, the United States of America, by counsel, JASON M. FRIERSON, United States Attorney for the District of Nevada, and Summer A. Johnson, Assistant United States Attorney, respectfully moves the Court to enter the Final Order of Continuing Garnishment in this matter pursuant to Section 3205 of the Federal Debt Collection Procedures Act of 1990, 28 U.S.C. § 3205(c)(7). In support of this motion, the United States claims:

1. This Court entered judgment against ALIA BOBER on September 23, 2022
(ECF No. 18), and the outstanding balance as of March 21, 2023 is \$25,296.12.

2. The amount owing is a debt to the United States as defined in the Federal

¹ Collection Procedures Act of 1990 (“FDCPA”), 28 U.S.C. § 3301-3308. *See* 28 U.S.C. § 3002(3)(B).

3 3. An Application for Writ of Continuing Garnishment was filed by the United
4 States on February 14, 2023 (ECF No. 20), and a Writ of Continuing Garnishment directed
5 to Garnishee was duly issued. ECF No. 21. The Garnishee was served the Writ of
6 Continuing Garnishment on February 16, 2023. ECF No. 24.

7 4. Pursuant to the Writ of Continuing Garnishment, the Garnishee filed an
8 Answer stating that at the time of the service of the Writ it had in its possession, custody, or
9 control personal property belonging to and due the Judgment Debtor in the form of
10 WAGES/PENSION/ETC in the amount of \$6,558.88. (ECF No. 22).

11 5. The Judgment Debtor was served on February 16, 2023, by Federal Express
12 a copy of the Writ of Continuing Garnishment and Notified of their right to a hearing. ECF
13 No. 23. The Judgment Debtor has not requested a hearing to determine exempt property.

14 6. The FDCPA, 28 U.S.C. § 3205(a) *et seq.*, permits a court to garnish up to
15 twenty-five percent of nonexempt disposable earnings. See 28 U.S.C. § 3002(9).

16 7. All conditions to the issuance of a final order in continuing garnishment
17 against the nonexempt earnings of the Judgment Debtor are fully satisfied, and the entry of
18 the Final Order in Continuing Garnishment is appropriate. *See* 28 U.S.C. § 3205(c)(7)
19 (“After the garnishee files an Answer and if no hearing is requested within the required time
20 period, the Court shall promptly enter an Order directing the garnishee as the to the
21 disposition of the Judgment Debtor’s nonexempt interest in such property.”)

Respectfully submitted,

JASON M. FRIERSON
United States Attorney

/s/ Summer A. Johnson
SUMMER A. JOHNSON
Assistant United States Attorney

1 CERTIFICATE OF SERVICE
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3 I hereby certify that on March 21, 2023, I served all of the parties in this case the
4 United States' Motion for Final Order of Garnishment by CM/ECF and by first class mail,
5 postage prepaid, as follows:

6 Garnishee:

7 The Vanguard Group, Inc.
8 100 Vanguard Blvd.
9 Malvern, PA 19355

10 Judgment Debtor:

11 Alia Bober
12 8255 S. Las Vegas Blvd. #209
13 Las Vegas, NV 89123

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/s/ Summer A. Johnson
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V.

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FINAL ORDER OF GARNISHMENT

This matter is before the Court for consideration of the entry of a final order in garnishment pursuant to Section 3205 of the Federal Debt Collections Procedures Act of 1990, 28 U.S.C. § 3205, against the non-exempt property of the Judgment Debtor, ALIA BOBER.

The United States filed an Application for Writ of Garnishment seeking any nonexempt property belonging to or owed the Judgment Debtor by The Vanguard Group, Inc., its Successors or Assigns (“Garnishee”). A Writ of Garnishment was properly served on Garnishee, which filed an Answer stating that it had in its possession, custody or control, personal property belonging to and due the Judgment Debtor in the form of personal

1 property in the amount of \$6,558.88.

2 The Judgment Debtor was served with the Writ of Garnishment and notified of their
3 right to claim an exemption or request a hearing. The Judgment Debtor did not request a
4 hearing to determine exempt property.

5 Having considered the Application, Garnishee's Answer and noting that the
6 Judgment Debtor has not exercised their right to request a hearing, the Court GRANTS the
7 United States' Motion for Final Order of Garnishment and orders as follows:

8 IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the
9 Garnishee shall pay to the United States within 15 days from the date of this Order the full
10 liquidated value of the account due or owing to the Judgment Debtor from the Garnishee
11 from the date the Writ was served on the Garnishee and continuing until the Garnishee is
12 no longer in possession, custody, or control of any nonexempt property belonging to or due
13 the Judgment Debtor or up to the amount of debt owed by Judgement Debtor in the amount
14 of \$25,296.12.

15 Checks should be made payable to:

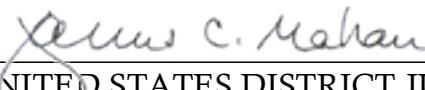
16 **Clerk of the Court, U.S. District Court**

17 Mailed to:
18
19 **Clerk of the Court, U.S. District Court**
20 **333 Las Vegas Boulevard South, Suite 1334**
21 **Las Vegas, NV 89101**

22 And bearing Judgment Debtor's name and case number:

23 **2:22-cr-00132-JCM-DJA**

24 Dated: March 22, 2023

25 
26 JAMES C. MAHAN
27 UNITED STATES DISTRICT JUDGE